



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

**ELECTRICAL ADMINISTRATIVE BOARD
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

Conference Room – 3
Okemos Office Building
2501 Woodlake Circle, Okemos, Michigan

AGENDA

February 6, 2009
9:30 a.m.

1. Call to order and determination of quorum
2. Approval of Minutes – December 5, 2008
3. Election of Vice-Chair
4. Document E-09-01 Examination Applicants
 - E-09-01A Applicants who passed the fire alarm technician exam November 2008
 - E-09-01B Applicants who passed the sign specialist exam November 2008
 - E-09-01C Applicants who passed the contractor exam November 2008
5. Document E-09-02 Electrical Inspectors Registration Applicants
6. Document E-09-03 Settlement Agreement/Wayne R. Dehate/Master Electrician
7. Document E-09-04 Settlement Agreement/Terry R. Petty/HP Electric
8. Document E-09-05 Settlement Agreement/TNT Electrical Systems Inc/Robert W. Ulrich
9. Old Business –
10. New Business –
11. Legislative Update -
12. Public Comment -

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P O BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9320 • Fax (517) 241-9308
www.michigan.gov/dleg

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Electrical Administrative Board
Agenda – February 6, 2009
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13. Next Meeting – April 3, 2009

14. Adjournment

"The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Carol Raylean at (517) 241-9320 at least 10 work days before the event." DELEG is an equal opportunity employer/program



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STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
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**ELECTRICAL ADMINISTRATIVE BOARD
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

Conference Room 3
2501 Woodlake Circle
Okemos, Michigan 48864

MINUTES

December 5, 2008
9:30 a.m.

MEMBERS PRESENT

Mr. Ernest Harju
Mr. Rowland Cornish III
Mr. Richard Long
Ms. Thelma Dobson
Mr. David Bushouse
Mr. Mark Bauer
Mr. Roy Etelamaki

MEMBERS ABSENT

Mr. Frank Donovan
Mr. Clark Justin
Mr. Joseph Reyes

**MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL
ATTENDING**

Mr. Dan O'Donnell, Chief, Electrical Division
Mr. Jim Hennessey, Assistant Chief, Electrical Division
Ms. Carol Raylean, Division Secretary
Ms. Beth Aben, Deputy Director
Mr. Irvin J. Poke, Director

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OTHERS IN ATTENDANCE

James Eisley, Charlevoix Cty	Tim Babcock, Traverse JAIC	Dave Austin, IBEW 58
Phillip Barnett, IBEW Local 557	Larry Houle, Houle Electric	William H. Sexton, Self
Walter Roe, Antrim County	Dave Jackson, USDOL/OA	Anton Tchakarov, Self
Tom Eastwood, IBEW Local 665	Glenn Bivins, USDOL/OA	Corey Noland, IBEW 153
Bob Schramski, IBEW	James Dotson, IBEW 948	Daniel Cusson, IBEW 58

1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at 9:30 a.m. by Mr. Mark Bauer, Vice-Chair. Roll was taken and it was determined a quorum was present.

2. **APPROVAL OF MINUTES**

The minutes of the October 3, 2008, meeting was reviewed. A **MOTION** was made by Mr. Long and **SECONDED** by Mr. Bushouse to recommend approval of the minutes as written. **MOTION CARRIED.**

3. A **MOTION** was made by Ms. Dobson and **SECONDED** by Mr. Bushouse to suspend the regular order of business for a presentation by Mr. Glen Bivens and Mr. Dave Jackson from the US Department of Labor, Bureau of Apprenticeship & Training. Mr. Bivens and Mr. Jackson presented the information they had provided to the board prior to the meeting and the board had no further questions.

4. **LICENSE REVIEW – Document E-08-16**

A **MOTION** was made by Mr. Long and **SECONDED** by Ms. Dobson to take Documents E-08-16A, through E-08-16F, as a whole, and recommend approval. **MOTION CARRIED.**

5. **ELECTRICAL INSPECTOR REGISTRATION – Document E-08-17**

A **MOTION** was made by Mr. Long and **SECONDED** by Mr. Harju for approval. **MOTION CARRIED.**

6. **APPROVED 15 HOUR CODE UPDATE COURSES – Document E-08-18**

A **MOTION** was made by Mr. Long and **SECONDED** by Mr. Cornish for approval. **MOTION CARRIED.**

7. Document E-08-19 Appeal by Anton D. Tchakarov to take the master exam. Mr. Tchakarov was present. Mr. O'Donnell gave a brief overview regarding staff recommendation to deny until Mr. Tchakarov satisfies the requirements of the act and the rules. Mr. Tchakarov's experience in North Carolina did not meet the requirements

necessary to qualify for the State of Michigan master exam. After a discussion a **MOTION** was made by Mr. Long and **SECONDED** Ms. Dobson to follow staff's recommendation to deny. **MOTION CARRIED.**

8. Document E-08-20, Appeal by William H. Sexton to take the master exam. Mr. Sexton was present. Mr. O'Donnell gave a brief overview regarding staff recommendation to deny until Mr. Sexton satisfies the requirements of the act and the rules. Mr. Sexton had a journey license in 1992 while working for the Oakland County Road Commission; however, he was unable to provide verification of having 4,000 hours under a master electrician. After a discussion a **MOTION** was made by Mr. Long and **SECONDED** by Mr. Cornish to follow staff's recommendation to deny. **MOTION CARRIED.**
9. Document E-08-21 Settlement Agreement for Thee Electric Co/Dennis L. Geisenhaver. Staff recommends the board approve the agreement. A **MOTION** to approve staff's recommendation was made by Mr. Long and **SECONDED** by Mr. Cornish. **MOTION CARRIED.**
10. **OLD BUSINESS** – The draft for what is required of all apprentices will be sent with all renewals and all new applications.
11. **NEW BUSINESS** – None
12. **LEGISLATIVE UPDATE** – The ratio for journeyman to apprentice will be enforced April 1, 2009. A letter will be sent to all electrical contractors.
13. **PUBLIC COMMENT** – None
14. **ADJOURNMENT** –10:40 a.m.

LICENSE REVIEW

E-09-01A

February 6, 2009

The Department of Energy, Labor & Economic Growth, Electrical Division, confirms that the applicants listed below received a passing score for the examination taken in Okemos, November 2008.

Fire Alarm Specialty Technician

BOEHM, THOMAS JJ	TOLEDO, OH
BOWHALL, DOUGLAS S	PETOSKEY MI
PHELPS, DAVID R	WYOMING, MI
PHELPS, JAMES D	WYOMING, MI
SEAMAN, MARTY H	SUMNER MI
SIEGERS, BARRY S	WATERFORD MI
SUMMERS, FREDERICK S	YPSILANTI MI
TOMOSKE, TADD A	DOWAGIAC MI

LICENSE REVIEW

E-09-01B

February 6, 2009

The Department of Energy, Labor & Economic Growth, Electrical Division, confirms that the applicants listed below received a passing score for the examination taken in Okemos, November 2008.

Electrical Sign Specialist

AYRES, JONATHON M

GOBLES MI

CLANTON, JUSTIN D

BUCHANAN MI

KWAPICH, RICHARD D

TOLEDO OH

MORSE, JEFFREY J

MARQUETTE MI

SEVIER, JEREMY W

MACOMB TWP MI

LICENSE REVIEW

February 6, 2009

E-09-01C

The Department of Energy, Labor & Economic Growth, Electrical Division, confirms that the applicants listed below received a passing score for the examination taken in Okemos, November 2008.

Contractors License

ANDERSON PHILIP A	SHELBY
BARAJAS STEVE	BURTON
BENTING ANDREW C	DORR
BONSER DAVID E	LIVONIA
BUCCELLATO JAMES J	ROCHESTER HILLS
CWYNAR SCOTT L	TOLEDO
DANOU BASHAR S	STERLING HEIGHTS
DARE JOHN D	OAK PARK
DRAVESKI MATTHEW A	MADISON HEIGHTS
GARON MARK C	MACOMB TWP
GREENHILL WILLIE M	YPSILANTI
HALE KEITH D	ALMONT
HARRIS JERRY S	YPSILANTI
HINSON BRIAN	MACOMB TWP
IGIELSKI DAVID P	HOWELL
ITANI MAHMOUD A	CENTER LINE
JUDSON JEFFREY A	GROSSE POINTE
KEHRES KENNETH D	LASALLE

LICENSE REVIEW

February 6, 2009

E-09-01C

The Department of Energy, Labor & Economic Growth, Electrical Division, confirms that the applicants listed below received a passing score for the examination taken in Okemos, November 2008.

Contractors License

LACROIX JAMES M	ROSEVILLE
LAMPEN MIKE S	HAMILTON
LARGE LAWRENCE L	GAYLORD
LEROUX JOHN M	MUSKEGON
LESKO STEVE D	HOWELL
MILLER JOHN R	MONROE
NEVEDAL NATHANIEL J	ST CLAIR SHORES
OLIVERI RUSSELL C	MACOMB
ORTON THOMAS C	STERLING HEIGHTS
OWEN BRIAN J	BAY CITY
PANN MICHAEL D	NORWAY
PARISIEN MARK P	FENTON
PAULINE BENJAMIN G	BROWNSTOWN
PAULINE DAVID N	SOUTHGATE
PHILIP MARENTEITE S	BAY CITY
PIKE BRIAN G	SAGINAW
PILBEAN SAMUEL C	DUNDEE

LICENSE REVIEW

February 6, 2009

E-09-01C

The Department of Energy, Labor & Economic Growth, Electrical Division, confirms that the applicants listed below received a passing score for the examination taken in Okemos, November 2008.

Contractors License

PITMAN JAMES MICHAEL	CHEBOYGAN
PLUNKETT ROBERT D	SOUTH LYON
POTTER ERIC R	ROCKFORD
QUACKENBUSH SCOTT R	LAMBERTVILLE
REITZLOFF MICHAEL D	LAKE ORION
ROBBINS DANIEL J	DEARBORN HEIGHTS
ROBERTS ROGER L	MARNE
ROSS JEFFREY L	MIDLAND
RUIZ SAMUEL A	WESTLAND
SIEGEL JAMESON S	COMMERCE TWP
SILKOVSKIY PAVEL F	GRAWN
SITKOWSKI COREY D	KAWKAWLIN MI
SMEREK ANTHONY P	ST CLAIR
STENCEL GREGORY B	CLAWSON MI
STITES TODD D	ANN ARBOR
TROMBLY RYAN A	NEW BOSTON
TUCKER JASON A	SOUTHFIELD
VALASCHO RICHARD M	HURON

LICENSE REVIEW

February 6, 2009

E-09-01C

The Department of Energy, Labor & Economic Growth, Electrical Division, confirms that the applicants listed below received a passing score for the examination taken in Okemos, November 2008.

Contractors License

YORK JUSTIN D

HARTLAND

YOST TIMOTHY M

JACKSON

ZIMMERMAN KATHRYN M

PORT AUSTIN

ZIONSKOWSKI BRIAN L

KINGSLEY MI

ZURAWSKYJ PAUL

WARREN

E-09-02

Document #09-14d

ELECTRICAL INSPECTORS

02/06/09 eab

03/04/09 ccc

BLANK, Philip L.
Master License #6206790 (8/1987)
Replacing James Zdebski (Registration #002485)
Hendricks Township – Mackinac County

DIESLER, Leslie P.
Journeyman License #6312551 (2/1986)
Additional Inspector
City of Durand – Shiawassee County

HARRIS, Rickey D.
Journeyman License #LIC2006-00675 (11/2006)
Additional Inspector
City of Detroit – Wayne County



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STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

February 6, 2009

E-09-03

TO: Members of the State Electrical Administrative Board

FROM: Dan O'Donnell, Chief, Electrical Division

SUBJECT: Settlement Agreement/Wayne R. Dehate

APPLICANT REPRESENTATIVE:

Wayne R. Dehate/Master Electrician License No. 6204907

PROJECT:

Not Applicable

AUTHORITY:

The Michigan Electrical Administrative Act, 1956 PA 217 of the Michigan Compiled Laws.

REQUEST:

Settlement Agreement

APPLICABLE LAW:

PA 217 338 888b(2)(d), 338 888e(1), 338.888b(2)a, 338.888e(1),

RECOMMENDATION:

Staff recommends the Electrical Administrative Board approve the settlement agreement as entered into between the Bureau of Construction Codes and Wayne R. Dehate.

Providing for Michigan's Safety in the Built Environment

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Telephone (517) 241-9320 • Fax (517) 241-9308
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Michigan Department of Labor & Economic Growth
 Bureau of Construction Codes
 Office of Local Government and Consumer Services
 P.O. Box 30255
 Lansing, MI 48909
 (517) 241-9347
 Authority: 1956 PA 217, 1984 PA 192, 2002 PA 733, 1965 PA 290 and 1976 PA 333

FEES TRANSMITTAL

Wayne R. Dehate
 1133 Curzon #202
 Howell, Michigan 48843

Index Code: **02000**

BCC Complaint Number	License Number	Administrative Fee	Civil Penalty	Total Due
E-08-0416(a)	62-04907		\$500	\$500

Please make checks or money orders payable to **State of Michigan**. **Return original copy of invoice with payment.** Retain the copy for your records.

If you have questions regarding this invoice please call the Office of Local Government and Consumer Services at (517) 241-9347.

VALIDATION AREA

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Wayne R. Dehate
1133 Curzon #202
Howell, Michigan 48843
Master Electrician License No. 62-04907

BCC Complaint No. E-08-0416(a)

Respondent
_____ /

Approved and entered into
this ____ day February 2009
by the Electrical Administrative Board

SETTLEMENT AGREEMENT

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), having described its concerns for the public's safety and welfare in its Statement of Intent to Commence Proceedings, Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Electrical Administrative Act and Notice of Informal Compliance Conference, issued November 13, 2008 (hereafter the Statement of Intent), a copy of which is attached hereto and incorporated herein as an integral part of this Settlement Agreement, hereby agrees to resolve those concerns as follows:

WHEREAS, Respondent attended an informal compliance conference on December 11, 2008, but did not make a sufficient showing of compliance; and

WHEREAS, Respondents have been advised of their rights to consult with and retain, at their own expense, legal counsel to represent them in their dealings with the Bureau; and

WAYNE R. DEHATE
SETTLEMENT AGREEMENT

WHEREAS, the Bureau and Respondent are desirous of settling this matter as hereafter set forth through the entry of this Settlement Agreement in lieu of a formal hearing; and

WHEREAS, Respondent admits that the factual allegations contained in Count I of the Statement of Intent are true and correct; and

WHEREAS, Respondent admits that such facts would constitute violations of the acts, rules and codes cited in the Statement of Intent; and

WHEREAS, the Bureau has assured Respondent that for the purposes Section 8e of the Act, MCL 338 888e, and this Settlement Agreement, all violations related to this matter shall be considered a single (1) violation; and

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public's health and welfare, and consistent with the purposes and provisions of the acts, rules and codes cited in the Statement of Intent.

IT IS THEREFORE AGREED that:

1. Respondent shall PAY A CIVIL PENALTY of \$500 to the State of Michigan and will complete this payment within 30 days of the acceptance of this Settlement Agreement by the Electrical Administrative Board.
2. Respondent's MASTER ELECTRICIAN LICENSE SHALL BE REVOKED for a minimum period of two (2) years from the date that this agreement is approved by the Board, after which Respondent may petition the Board for reinstatement of his previous master electrician license.
3. Upon the revocation of Respondent's Master license, the Bureau shall ISSUE A JOURNEY ELECTRICIAN LICENSE to Respondent without the requirement for a written examination. Respondent will, however, be required to comply with all other requirements for maintaining and renewing his Journey license, including the payment of all customary license renewal fees and lien fund payments.

WAYNE R. DEHATE
SETTLEMENT AGREEMENT

4. Respondent shall comply with all of the provisions of the laws and codes that regulate electrical wiring and the supervision of apprentice electricians in the State of Michigan. If Respondent is uncertain about a particular situation they confront in the future, they will contact the Bureau's Electrical Division through written correspondence for additional guidance.


IT IS FINALLY AGREED that failure to satisfy the conditions set forth above will result in the permanent REVOKATION of Respondent's master electrician and journey electrician licenses by the Electrical Administrative Board without further administrative action until all conditions of this settlement agreement are satisfied.

A copy of this agreement will be presented to the Electrical Administrative Board for final approval at their next regularly scheduled meeting. Once approved by the Electrical Administrative Board, this Settlement Agreement will become a public document.

The parties have entered into this Settlement Agreement on the dates indicated below.

ANY FUTURE COMMUNICATIONS regarding this Settlement Agreement should be addressed to the Bureau of Construction Codes, Electrical Division, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: 
Daniel O'Donnell, Chief
Electrical Division
Bureau of Construction Codes

Dated: 12-11-2008
Okemos, Michigan

WAYNE R. DEHATE
SETTLEMENT AGREEMENT

By: Wayne R. DeHate
Wayne R. Dehate, Respondent

Dated: 12-11-08
Okemos, Michigan

By: Scott D. Fisher
Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes

Dated: 12/11/08
Okemos, Michigan

ACTION BY THE ELECTRICAL ADMINISTRATIVE BOARD

On February ____, 2009, the Electrical Administrative Board met to review this matter and voted to APPROVE / REJECT / AMEND the settlement agreement as written.

By: _____
William F. Donovan, Chair
State of Michigan Electrical Administrative Board
Bureau of Construction Codes

Dated: _____
Okemos, Michigan

Upon Approval of the Electrical Administrative Board

A Copy of this Settlement Agreement was sent by First Class Mail to:

Wayne R. Dehate
1133 Curzon #202
Howell, Michigan 48843

A Copy of this Settlement Agreement was sent by Interdepartmental Mail to:

Daniel O'Donnell, Electrical Division Chief
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

WAYNE R. DEHATE
SETTLEMENT AGREEMENT

Beth Aben, Deputy Director
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, OLGCS Director
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STANLEY 'SKIP' PRUSS
DIRECTOR

February 6, 2009

E-09-04

TO: Members of the State Electrical Administrative Board
FROM: Dan O'Donnell, Chief, Electrical Division
SUBJECT: Settlement Agreement/Terry Petty d/b/a HP Electric

APPLICANT REPRESENTATIVE:

Terry R. Petty d/b/a HP Electric

PROJECT:

Not Applicable

AUTHORITY:

The Michigan Electrical Administrative Act, 1956 PA 217 of the Michigan Compiled Laws.

REQUEST:

Settlement Agreement

APPLICABLE LAW:

PA 217 338 888b(2)(d), 338 888e(1), 338 888b(2)a, 338 888e(1),

RECOMMENDATION:

Staff recommends the Electrical Administrative Board approve the settlement agreement as entered into between the Bureau of Construction Codes and Terry R. Petty d/b/a HP Electric.

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 Bureau of Construction Codes
 Office of Local Government and Consumer Services
 P.O. Box 30255
 Lansing, MI 48909
 (517) 241-9347
 Authority: 1956 PA 217, 1984 PA 192, 2002 PA 733, 1965 PA 290 and 1976 PA 333

FEES TRANSMITTAL

Terry R. Petty, d/b/a
 H P Electric
 9853 Thunderbay Drive
 Pinckney, Michigan 48169

Index Code: 02000

BCC Complaint Number	License Number	Administrative Fee	Civil Penalty	Total Due
E-08-0416(b)	61-10660		\$500	\$500

Please make checks or money orders payable to **State of Michigan**. **Return original copy of invoice with payment.** Retain the copy for your records.

If you have questions regarding this invoice please call the Office of Local Government and Consumer Services at (517) 241-9347.

VALIDATION AREA

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**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Terry R. Petty, d/b/a
H P Electric
9853 Thunderbay Drive
Pinckney, Michigan 48169
Electrical Contractor License No. 61-10660
Respondent

BCC Complaint No. E-08-0416(b)

Approved and entered into
this ____ day February 2009
by the Electrical Administrative Board

SETTLEMENT AGREEMENT

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), having described its concerns for the public's safety and welfare in its Statement of Intent to Commence Proceedings, Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Electrical Administrative Act and Notice of Informal Compliance Conference, issued November 13, 2008 (hereafter the Statement of Intent), a copy of which is attached hereto and incorporated herein as an integral part of this Settlement Agreement, hereby agrees to resolve those concerns as follows:

WHEREAS, Respondent attended an informal compliance conference on December 11, 2008, but did not make a sufficient showing of compliance; and

WHEREAS, Respondent has been advised of his right to consult with and retain, at his own expense, legal counsel to represent him in his dealings with the Bureau; and

TERRY R. PEITY, D/B/A H P ELECTRIC
SETTLEMENT AGREEMENT

WHEREAS, the Bureau and Respondent are desirous of settling this matter as hereafter set forth through the entry of this Settlement Agreement in lieu of a formal hearing; and

WHEREAS, Respondent admits that the factual allegations contained in the Counts of the Statement of Intent are true and correct; and

WHEREAS, Respondent admits that such facts would constitute violations of the acts, rules and codes cited in the Statement of Intent; and

WHEREAS, the Bureau has assured Respondent that for the purposes Section 8e of the Act, MCL 338 888e, and this Settlement Agreement, all violations related to this matter shall be considered a single (1) violation; and

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public's health and welfare, and consistent with the purposes and provisions of the acts, rules and codes cited in the Statement of Intent.

IT IS THEREFORE AGREED that:

1. Respondent shall PAY A CIVIL PENALTY of \$500 to the State of Michigan and will complete this payment within 30 days of the acceptance of this Settlement Agreement by the Electrical Administrative Board.
2. Respondent's ELECTRICAL CONTRACTOR LICENSE SHALL BE REVOKED for a minimum period of two (2) years from the date that this agreement is approved by the Board before being allowed to reapply for a contractor license, including passing the written contractor examination.
3. Upon the revocation of Respondent's Contractor license, the Bureau shall allow Respondent to become registered as an apprentice electrician and then APPLY FOR A NEW JOURNEY ELECTRICIAN LICENSE, including but not limited to the requirement to take and pass the written examination for a journey level electrical license.

TERRY R. PETTY, D/B/A H P ELECTRIC
SETTLEMENT AGREEMENT

4. Until and unless obtaining a new electrical contractor license after first waiting the agreed upon two years, Respondent shall restrict his activities related to electrical work to that of an apprentice, journey or master electrician in the employment of a licensed electrical contractor.
5. Respondent shall comply with all of the provisions of the laws and codes that regulate electrical work in the State of Michigan. If Respondent is uncertain about a particular situation he will contact the Bureau's Electrical Division through written correspondence for additional guidance.


IT IS FINALLY AGREED that failure to satisfy the conditions set forth above will result in the summary SUSPENSION of any and all electrical licenses and registrations issued to Respondent by the Electrical Administrative Board without further administrative action until all conditions of this settlement agreement are satisfied.

A copy of this agreement will be presented to the Electrical Administrative Board for final approval at their next regularly scheduled meeting. Once approved by the Electrical Administrative Board, this Settlement Agreement will become a public document.

The parties have entered into this Settlement Agreement on the dates indicated below.

ANY FUTURE COMMUNICATIONS regarding this Settlement Agreement should be addressed to the Bureau of Construction Codes, Electrical Division, P O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: 
Daniel O'Donnell, Chief
Electrical Division
Bureau of Construction Codes

Dated: 12-11-2008
Okemos, Michigan

TERRY R. PETTY, D/B/A H P ELECTRIC
SETTLEMENT AGREEMENT

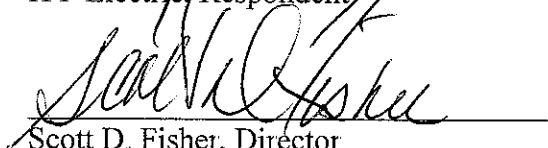
By:


Terry R. Petty, d/b/a
H P Electric, Respondent

Dated:

12/11/08
Okemos, Michigan

By:


Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes

Dated:

12/11/08
Okemos, Michigan

ACTION BY THE ELECTRICAL ADMINISTRATIVE BOARD

On February __, 2009, the Electrical Administrative Board met to review this matter and voted to APPROVE / REJECT / AMEND the settlement agreement as written.

By:

William F. Donovan, Chair
State of Michigan Electrical Administrative Board
Bureau of Construction Codes

Dated:

Okemos, Michigan

Upon Approval of the Electrical Administrative Board

A Copy of this Settlement Agreement was sent by First Class Mail to:

Terry R. Petty, d/b/a
H P Electric
9853 Thunderbay Drive
Pinckney, Michigan 48169

A Copy of this Settlement Agreement was sent by Interdepartmental Mail to:

Daniel O'Donnell, Electrical Division Chief
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

TERRY R. PETTY, D/B/A H P ELECTRIC
SETTLEMENT AGREEMENT

Beth Aben, Deputy Director
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, OLGCS Director
Bureau of Construction Codes
P.O. Box 30254
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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

February 6, 2009

E-09-05

TO: Members of the State Electrical Administrative Board
FROM: Dan O'Donnell, Chief, Electrical Division
SUBJECT: Settlement Agreement INT Electrical Systems Inc/Robert W. Ulrich

APPLICANT REPRESENTATIVE:

INT Electrical Systems Inc.
Robert W. Ulrich, Master Electrician of Record and Resident Agent

PROJECT:

Not Applicable

AUTHORITY:

The Michigan Electrical Administrative Act, 1956 PA 217 of the Michigan
Compiled Laws.

REQUEST:

Settlement Agreement

APPLICABLE LAW:

PA 217 338.888b(2)(d), 338.888e(1), 338.888b(2)a, 338.888e(1), Michigan
Electrical Code (MEC) 2002.

RECOMMENDATION:

Staff recommends the Electrical Administrative Board approve the settlement
agreement as entered into between the Bureau of Construction Codes and INT
Electrical Systems, Inc. c/o Robert Ulrich, master of record and resident agent.

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P O BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9320 • Fax (517) 241-9308
www.michigan.gov/dleg

DELEG is an equal opportunity employer/program.
Auxiliary aids services and other reasonable accommodations are available upon request to individuals with disabilities

Michigan Department of Labor & Economic Growth
 Bureau of Construction Codes
 Office of Local Government and Consumer Services
 P.O. Box 30255
 Lansing, MI 48909
 (517) 241-9347

Authority: 1956 PA 217 1984 PA 192, 2002 PA 733, 1965 PA 290 and 1976 PA 333

FEES TRANSMITTAL

Mr. Robert Ulrich
 INT Electrical Services Inc.
 4477 Prouty Road
 Traverse City, Michigan 49686

Index Code: 02000

BCC Complaint Number	License Number	Administrative Fee	Civil Penalty	Total Due
07-0965-E	6107060 & 6208796		\$4,500	\$4,500

Please make checks or money orders payable to **State of Michigan**. **Return original copy of invoice with payment.** Retain the copy for your records.

If you have questions regarding this invoice please call the Office of Local Government and Consumer Services at (517) 241-9347.

VALIDATION AREA

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

TNT Electrical Systems, Inc.
c/o Robert Ulrich, Resident Agent
Electrical Contractor License No. 6107060

Agency Complaint No. 07-0965-E

Robert W. Ulrich, Master Electrician of Record
TNT Electrical Systems, Inc.
Master Electrician License No. 6208796

Respondents

_____ /

Approved and Accepted
this ____ day of _____, 2009
by William F. Donovan, Chair
of behalf of the Electrical Administrative Board

SETTLEMENT AGREEMENT

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), having described its concerns for the public's safety and welfare in its Statement of Intent to Commence Proceedings, Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Electrical Administrative Act and Notice of Informal Compliance Conference, issued February 1, 2008 (hereafter the Statement of Intent), a copy of which is attached hereto and incorporated herein as an integral part of this Settlement Agreement, hereby agrees to resolve those concerns as follows:

WHEREAS, Respondents attended an informal compliance conference on March 6, 2008, but did not make a sufficient showing of compliance; and

**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

TNT Electrical Systems, Inc.
c/o Robert Ulrich, Resident Agent
Electrical Contractor License No. 6107060

Agency Complaint No. 07-0965-E

Robert W. Ulrich, Master Electrician of Record
TNT Electrical Systems, Inc
Master Electrician License No. 6208796

Respondents
_____ /

Entered into
this ____ day of _____, 2008
by Scott D. Fisher, Director
Office of Local Government and Consumer Services

SETTLEMENT AGREEMENT

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), having described its concerns for the public's safety and welfare in its Statement of Intent to Commence Proceedings, Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Electrical Administrative Act and Notice of Informal Compliance Conference, issued February 1, 2008 (hereafter the Statement of Intent), a copy of which is attached hereto and incorporated herein as an integral part of this Settlement Agreement, hereby agrees to resolve those concerns as follows:

WHEREAS, Respondents attended an informal compliance conference on March 6, 2008, but did not make a sufficient showing of compliance; and

INT ELECTRICAL SYSTEMS, INC AND ROBERT W. ULRICH
SETTLEMENT AGREEMENT

WHEREAS, Respondents have elected not to exercise their rights under Sections 14 and 16 of the state construction code act, 1972 PA 230, MCL 125 1514 and 125 1516, to appeal the specific code determination of the construction code enforcing agency described in Count I of the Statement of Intent; and

WHEREAS, Respondents have been advised of their rights to consult with and retain, at their own expense, legal counsel to represent them in their dealings with the Bureau; and

WHEREAS, Respondents have been advised of their rights to contest the allegations described in Counts I and II of the Statement of Intent at a formal hearing before an impartial administrative law judge, pursuant to the Administrative Procedures Act of 1969, 1969 PA 306; MCL 24 201 et seq, and have voluntarily waived all rights to the formal hearing referenced in Section 8b(2) of the Act, MCL 338.888b(2); and

WHEREAS, the Bureau and Respondents are desirous of settling this matter as hereafter set forth through the entry of this Settlement Agreement in lieu of a formal hearing; and

WHEREAS, Respondents neither admit nor deny that the factual allegations contained in Counts I and II of the Statement of Intent are true and correct; and

WHEREAS, Respondents would neither admit nor deny that such facts would constitute violations of the acts, rules and codes cited in the Statement of Intent; and

WHEREAS, the Bureau has assured Respondents that for the purposes Section 8e of the Act, MCL 338.888e, and this Settlement Agreement, all violations related this matter shall be considered a single (1) violation; and

TNT ELECTRICAL SYSTEMS, INC. AND ROBERT W. ULRICH
SETTLEMENT AGREEMENT

WHEREAS, on May 15, 2008, Respondents did replace and bring into compliance ALL electrical conductors (wiring) that did not comply with both the contract specifications and the electrical code requirements at the Interlochen State Park construction project for the new public toilet and shower facilities, which is more fully described in paragraph 5 of the Statement of Intent; and

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public's health and welfare, and consistent with the purposes and provisions of the acts, rules and codes cited in the Statement of Intent.

IT IS THEREFORE AGREED that:

1. Respondents shall pay a Civil Penalty of \$4,500 to the State of Michigan.
2. Respondents shall pay, if and when billed separately by the DNR, an administrative fee of no more than \$1,500 for a representative of the DNR to provide on-site monitoring of the corrections.
3. Respondent shall complete all payments herein agreed to within 30 days of the acceptance of this Settlement Agreement by the Electrical Administrative Board or, with respect to the DNR costs, within 30 days of being billed by the DNR
4. Respondents shall retain their electrical licenses
5. Respondents shall comply with all of the provisions of the laws and codes that regulate electrical wiring and the employment of apprentices and journeymen electricians in the State of Michigan. If Respondents are uncertain about a particular situation they confront in the future, they will contact the Bureau's Electrical Division through written correspondence for additional guidance.

IT IS FINALLY AGREED that failure to satisfy the conditions set forth above will result in the summary SUSPENSION of Respondents' master electrician and electrical contractor

TNT ELECTRICAL SYSTEMS, INC. AND ROBERT W ULRICH
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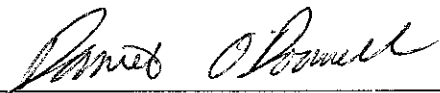
licenses by the Electrical Administrative Board without further administrative action until all conditions of this settlement agreement are satisfied

A copy of this agreement will be presented to the Electrical Administrative Board for final approval at their next regularly scheduled meeting. Once approved by the Electrical Administrative Board, this Settlement Agreement will become a public document.

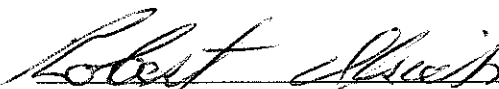
The parties have entered into this Settlement Agreement on the dates indicated below.

ANY FUTURE COMMUNICATIONS regarding this Settlement Agreement should be addressed to the Bureau of Construction Codes, Electrical Division, P.O. Box 30254, Lansing, Michigan 48909.


MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: 
Daniel O'Donnell, Chief
Electrical Division
Bureau of Construction Codes

Dated: 12-30-2008
Lansing, Michigan

By: 
Robert Ulrich, individually; and as President
TNT Electrical Systems, Inc., Respondents

Dated: Dec/08/08
Michigan

By: 
Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes

Dated: 12/30/08
Lansing, Michigan

TNT ELECTRICAL SYSTEMS, INC. AND ROBERT W ULRICH
SETTLEMENT AGREEMENT

ACTION BY THE ELECTRICAL ADMINISTRATIVE BOARD

On _____, 2008, the Electrical Administrative Board met to review this matter and voted to APPROVE / REJECT / AMEND the settlement agreement as written

By: _____
William F. Donovan, Chair
State of Michigan Electrical Administrative Board
Bureau of Construction Codes

Dated: _____
Okemos, Michigan

Upon Approval of the Electrical Administrative Board

A Copy of this Settlement Agreement was sent by First Class Mail to:

Matthew D Vermetten, Esq
Brandt Fisher Alward & Roy, P C.
Attorney for Robert Ulrich and TNT Electrical Systems, Inc
1241 E Eighth Street
P.O. Box 5817
Traverse City, Michigan 49696-5817

A Copy of this Settlement Agreement was sent by Interdepartmental Mail to:

Daniel O'Donnell, Electrical Division Chief
Bureau of Construction Codes
P O Box 30254
Lansing, Michigan 48909

Beth Aben, Deputy Director
Bureau of Construction Codes
P.O Box 30254
Lansing, Michigan 48909

Scott Fisher, OLGCS Director
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

BRANDT FISHER ALWARD & ROY, P.C.
ATTORNEYS AT LAW

DONALD A. BRANDI
JOSEPH C. FISHER
THOMAS R. ALWARD
EDGAR ROY III
MATTHEW D. VERMETTEN
THOMAS A. PEZZETTI, JR
JOHN M. GROGAN

1241 E EIGHTH STREET
P.O. BOX 5817
TRAVERSE CITY, MI 49696-5817
(231) 941-9660
Facsimile (231) 941-9568
Elk Rapids Office By Appointment Only
(231) 264-5614

JAMES R. MODRALL III *‡
SUSAN JILL RICE †
GARY D. POPOVITS
H. DOUGLAS SHEPHERD IV
LAURA E. GARNEAU
DAVID H. ROWE*
* Also Admitted in Illinois
† Also Admitted in Indiana
‡ Also Admitted in Wisconsin

E-mail: mvermetten@bfarlaw.com

December 18, 2008

Gerrit Bakker, Analyst
Bureau of Construction Codes
PO Box 30254
Lansing, MI 48909

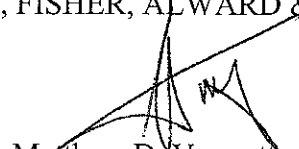
Re: BCC file no: 07-0965-E

Dear Mr. Bakker:

Attached kindly find the modified/amended Settlement Agreement. Please circulate for signature and contact me at your first convenience with any questions, comments or concerns.

Sincerely,

BRANDT, FISHER, ALWARD & ROY, P.C.



Matthew D. Vermetten

MDV/mlf
c: Client

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